

REMARKS

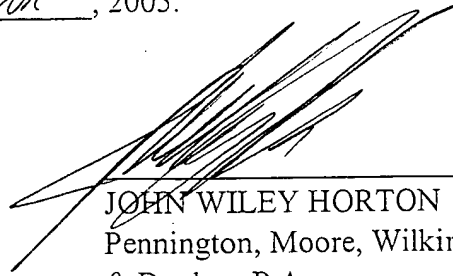
The Examiner rejected claims 1-3 and 5-8 under 35 U.S.C. 102 based on U.S. Patent No. 4,431,329 to Baitella. Applicant has amended claim 1, to include the limitation of a rod insertedly situated within the rod opening of the cylindrical body, wherein the cylindrical body is free to slide up and down the rod and yaw around the rod, thereby allowing the user to adjust the position of the cylindrical body on the rod.

These amendments can be quickly understood with respect to FIGs. 1 and 8 of the original disclosure. When adjusting knob 20 is loosened, ball 26 is free to move within a ball and socket joint (free to move in roll, pitch, and yaw). This allows mounting plate 32, with spotting scope 12 attached, to move in roll, pitch, and yaw. Likewise, mounting head 50 is free to slide up and down rod 18 and to yaw around rod 18. When adjusting knob 20 is tightened, all the degrees of freedom just mentioned are locked.

While the Baitella device is allowed to pivot around king pin (7), the Baitella Patent does not teach or describe the amended limitation. Specifically, cylindrical body (1,4) are not free to slide up and down a rod. Accordingly, a user would not be able to adjust the position of cylindrical body (1,4) on the rod. A user of the Baitella device can only adjust the direction cylindrical body (1,4) "points."

None of the prior art references cited - or any other reference known to the Applicants - describes or suggests these features. The claims have been amended to positively recite these features. In view of the amendments and these remarks, the Applicants believe that the claims are in condition for allowance. Accordingly, the Applicants respectfully request that the Examiner reconsider the rejections.

Respectfully submitted this 13th day of June, 2005.



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